

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRANDY PENA ET AL,

Plaintiffs,

-against-

CITY OF NEW YORK ET AL,

Defendants.
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**ORDER REGULATING
DISCOVERY DISPUTES**

24 Civ. 5893 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiffs have raised two discovery issues, the unsealing of criminal court records and the production of witnesses for deposition, by letter to the Court on June 4, 2025, purporting to incorporate Defendants' positions on those issues in that letter. Defendants, by subsequent letter on June 4, 2025, clarified that their position as outlined in Plaintiffs' letter was not approved by them, and set forth their full position on the two issues.


The parties are first admonished that full and complete cooperation is required with regards to all discovery matters, including the preparation of joint letters to the Court, pursuant to Individual Rules 1D and 2E. A complaint by one party that the other has not given a full presentation of an issue should not be necessary.

Defendant's desire for the unsealing of criminal court records has nothing to do with the record of what Defendants did with respect to Plaintiffs' taxi driver licenses. Although the unsealing of the criminal court records is not a precondition to depositions, Plaintiffs shall give authorizations to unseal those records by June 25, 2025.

The depositions of four of the five witnesses at issue shall proceed promptly, one per week starting the week of June 23, 2025. Witness Sherryl Eluto's deposition should not be taken until the week of July 7, 2025. As to the fifth witness, David Do, the notice of deposition is premature since he is Chair of the Taxi and Limousine Commission and requires a showing of good cause for his deposition, after the other depositions are taken.

SO ORDERED.

Dated: June 11, 2025
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge